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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,294	12/22/2005	Christophe Martin	BAI525-203/08231	3281
24118 7590 12/11/2008 HEAD, JOHNSON & KACHIGIAN 228 W 17TH PLACE TULSA, OK 74119				
EXAMINER LANGHOJA, KUNAL N				
ART UNIT 2427		PAPER NUMBER		
MAIL DATE 12/11/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/562,294

Applicant(s)

MARTIN, CHRISTOPHE

Examiner

KUNAL LANGHNOJA

Art Unit

2427

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/24/2008 have been fully considered but they are not persuasive.

Regarding claim 1, applicant argues Unger et al fails to teach limitation "wherein the power switch command is detected and the bi-stable circuit is operated without the use of a microprocessor." The examiner respectfully disagrees with the applicant. As cited in paragraph 0025, when user sends the power-off command it puts the receiver in the stand-by mode and takes power off from lines SP1 and SP2. Processor loses power in stand-by mode and update-sensor 306 remains ON to detect the presence of updates and upgrades. Therefore, sensor 306 does not contain or operate within a microprocessor to be able to perform updates.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Unger et al (United States Patent Application Publication 2002/0152473), hereinafter referenced as Unger.

Regarding claim 1, Unger teaches "a receiver apparatus" (Figure 3) having, "a number of components which have power-on and power- off states,

a low-power unit [302] for switching at least a number of the components from one state, denoted a current state, to the other state, a low-power circuit including a bi-stable circuit for storing the power-on and power-off states of said number of the components and for detecting a power switch command, in order that upon detection of said power switch command the bi-stable circuit causes said number of the components to be switched from their current states into their other states." and (Figures 3; Paragraphs 0024, 0025, 0032 and 0033)

wherein the power switch command is detected and the bi-stable circuit is operated without the use of a microprocessor (i.e. sensor 306 remains on to detect update while SP1 line power is removed). (Paragraph 0025)

Claim 2 is rejected wherein "the bi-stable circuit is arranged so that said number of the components are all triggered in the same states upon detection of said switch command." (Paragraph 0024 and 0025)

Claim 3 is rejected wherein "low-power unit comprises a reset circuit for resetting the states of said components in their power-on states." (Paragraph 0024)

Claim 4 is rejected wherein "the components are included in a main circuit for receiving broadcast programs and for supplying audio [206] and video [208] signals, the main circuit being connected to the low-power unit and to a power supply unit [220] for supplying power to the components, the power supply unit [220] comprising switching means [310] connected to at least said part of the components of the main circuit for

switching said part of the components from their current states into their other states upon detection of a power switch command by the low-power circuit." (Figure 3 Paragraphs 0021, 0024, 0025)

Claim 5 is rejected wherein "all components of the main circuit are switched to a same state upon detection by the low-power unit of a power switch command." (Paragraphs 0024 and 0025)

Claim 6 is rejected wherein "upon detection by the low-power unit of a power switch command, the current states of the components being the power-on state, the power supply unit only supplies the low-power unit." (Paragraph 0022 and 0023)

Claim 7 is rejected wherein "a front panel key to be pressed by a user to trigger said power switch command." (Paragraphs 0024 and 0025)

Regarding claim 9, Unger teaches "a method of power control in a receiver" having, "a number of components, to be supplied by a power supply unit [220], the receiver [300] having a power-on operating mode wherein which said components of the receiver are in a power-on state and a low-power operating mode wherein which at least number of said components are in a power-off state, the receiver [300] comprising a low-power unit [302] for switching the receiver from one operating mode, denoted current operating mode, to the other operating mode, said method comprising the steps of: - storing the states of said components in each of the two operating modes, - detecting a power control signal, - upon detection of said power control signal, switching said part of the components from their current states to their other states." and (Figure 3; Paragraphs 0023-025, 0032, 0033)

wherein the power switch command is detected and the bi-stable circuit is operated without the use of a microprocessor (i.e. sensor 306 remains on to detect update while SP1 line power is removed). (Paragraph 0025)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger, in view of Yang et al (United States Patent 5,278,654), hereinafter referenced as Yang.

Regarding claim 8, Unger teaches everything claimed (see claim 1), however the reference is unclear with respect to "which said power switch command to switch said part of the components to their power-off states is automatically triggered after a predefined timer has lapsed."

Yang teaches "which said power switch command to switch said part of the components to their power-off states is automatically triggered after a predefined timer has lapsed." (Col.4, lines 46-59) Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add to "which said power switch command to switch said part of the components to their power-off states is automatically triggered after a predefined timer has lapsed" for the common knowledge

purpose of unnecessary waste of power is prevented as well as overheating of the television is avoided.

Claim 10, is rejected wherein "at least part of the components include all components except the components of the low-power unit." (Unger: Paragraph 0022-0023)

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUNAL LANGHNOJA whose telephone number is 571-270-3583. The examiner can normally be reached on M-F 9 A.M- 5 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on 571-272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KL

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427